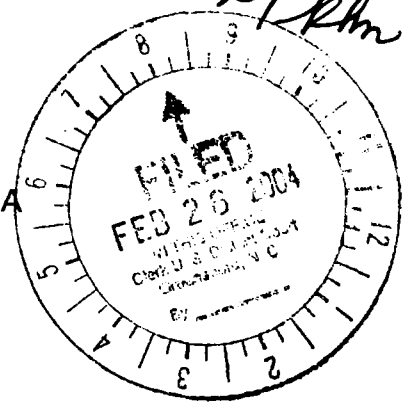


ENTERED ON DOCKET
R. 79 (a)

21. FEB 26 2004

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



ICONBAZAAR, L.L.C.,

Plaintiff,

v.

AMERICA ONLINE, INC.,

Defendant.

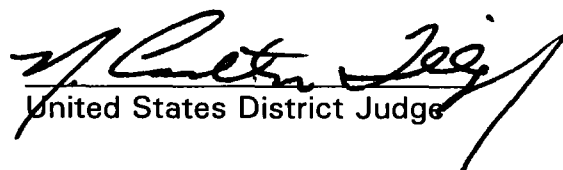
1:02CV1022

ORDER

TILLEY, Chief Judge

This case is before the Court on Defendant's Motion to Dismiss Plaintiff's First Amended Complaint. [Doc. #13]. Defendant's prior Motion to Dismiss [Doc. #6] is now MOOT. For the reasons set forth in a contemporaneously filed Memorandum Opinion, the Defendant's Motion to Dismiss Plaintiff's First Amended Complaint will be GRANTED IN PART AND DENIED IN PART. Specifically, the motion will be GRANTED as to both the state law unfair and deceptive trade practices claim and any trademark claims, and DENIED as to the federal copyright claim.

This the 26 day of February, 2004.


United States District Judge